

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Derrick Cain,

Plaintiff,

Case No. 04-74765

v.

Hon. Nancy G. Edmunds

MDOC, et. al.,

Defendants.

ORDER ACCEPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

This matter has come before the Court on the Magistrate Judge's Report and Recommendation. Being fully advised in the premises and having reviewed the record and the pleadings, including the Report and Recommendation and any objections thereto, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation. It is further ordered that Plaintiff's Complaint is hereby dismissed without prejudice, Plaintiff's RLUIPA and state negligence claims are dismissed without prejudice, Defendants' motion to transfer venue and motion for summary judgment, and Plaintiff's motions for injunctive relief, cross-motion for summary judgment, and motion to supplement his cross-motion for summary judgment are denied as moot, and the case is hereby DISMISSED.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: March 16, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 16, 2006, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager